

HOUSE JOURNAL

SEVENTY-EIGHTH LEGISLATURE, THIRD CALLED SESSION

PROCEEDINGS

SEVENTH DAY — MONDAY, SEPTEMBER 29, 2003

The house met at 9 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 35).

Present — Mr. Speaker; Allen; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Escobar; Farabee; Farrar; Flores; Flynn; Gallego; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Hamilton; Hamric; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Absent, Excused — Gattis; Hardcastle; Laney; Solomons.

Absent — Alonzo; Bailey; Capelo; Davis, Y.; Dawson; Garza; Haggerty; Homer; Martinez Fischer.

The invocation was offered by Representative Edwards.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today and the remainder of the week because of illness:

Solomons on motion of Geren.

The following member was granted leave of absence for today and the remainder of the week because of a death in the family:

Hardcastle on motion of Geren.

The following member was granted leave of absence for today because of family business:

Gattis on motion of Baxter.

The following member was granted leave of absence for today because of illness in the family:

Laney on motion of Pitts.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 2).

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for the remainder of today because of important business in the district:

Hamilton on motion of Geren.

Truitt on motion of Geren.

The following members were granted leaves of absence for the remainder of today to attend a funeral:

B. Brown on motion of Geren.

Campbell on motion of Geren.

HB 7 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS MOTION TO INSTRUCT CONFEREES

Representative Swinford called up with senate amendments for consideration at this time,

HB 7, A bill to be entitled An Act relating to the reorganization of, efficiency in, and other reform measures applying to state government.

Representative Swinford moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 7**.

The motion prevailed without objection.

Representative Keel moved to instruct the conference committee on **HB 7** to remove all amendments to **HB 7** adopted by the senate.

The motion was withdrawn.

**HB 24 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative Heflin called up with senate amendments for consideration at this time,

HB 24, A bill to be entitled An Act relating to appropriating the fees relating to the licensing and regulation of certain electricians collected by the Texas Department of Licensing and Regulation or the Texas Commission of Licensing and Regulation under **HB 1487**, Acts of the 78th Legislature, Regular Session, 2003.

Representative Heflin moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 24**.

The motion prevailed without objection.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 24**: Heflin, chair; Driver; B. Brown; Solis; and Ellis.

**HB 28 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative McCall called up with senate amendments for consideration at this time,

HB 28, A bill to be entitled An Act relating to state fiscal management; making related appropriations.

Representative McCall moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 28**.

The motion prevailed without objection.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 28**: Heflin, chair; McCall; Hamric; Luna; and Gutierrez.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business in the district:

Wohlgemuth on motion of Stick.

**HB 7 - CONFERENCE COMMITTEE INSTRUCTED
CONFERENCE COMMITTEE APPOINTED**

Representative Keel moved to instruct the conference committee on **HB 7** to remove all amendments to **HB 7** adopted by the senate.

The motion prevailed without objection.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 7**: Swinford, chair; Allen; Callegari; Delisi; and Pitts.

STATEMENT BY REPRESENTATIVE GEREN

Members, I'm going to read to you what was read Friday night at the Vernon High School football game, their homecoming, and as you know, Cayce passed away Friday morning.

At this time, we would like to pay tribute to Cayce Hardcastle, a much loved member of the Vernon High School Senior Class and chaplain of the Vernon High School Student Council.

This morning, Cayce lost a four year battle with cancer, but she was the bravest of soldiers. She fought with courage and dignity. She lifted the spirits of those around her, and she lived every minute of every day.

At this time, we want to remember the joy that Cayce brought to each of us. The twinkle in her eyes, the laughter in her voice, and the strength of her spirit will be with us forever.

Will you join me for a moment of silence in honor of Cayce and the Hardcastle family? Thank you, members.

ADJOURNMENT

Representative Geren moved that the house adjourn until 10 a.m. Thursday, October 2 in memory of Cayce Hardcastle of Vernon, daughter of Representative Hardcastle.

The motion prevailed without objection.

The house accordingly, at 9:30 a.m., adjourned until 10 a.m. Thursday, October 2.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 72 (By Harper-Brown), Relating to the liability of certain nonprofit hospital management contractors.

To Civil Practices.

HR 158 (By Flynn), Honoring Shirley Fuller on her retirement from the advisory board of the Van Zandt County Library.

To Rules and Resolutions.

HR 164 (By Flynn), Honoring Sarah Norman on her retirement from the advisory board of the Van Zandt County Library.

To Rules and Resolutions.

HR 165 (By Flynn), Honoring Rollin A. Sininger on his retirement from the advisory board of the Van Zandt County Library.

To Rules and Resolutions.

HR 176 (By Hunter), Recognizing February, 2004, as the Great Texas Blood Donor Roundup Month.

To Rules and Resolutions.

HR 177 (By Rose), Honoring the Hays County SWAT team for its impressive showing in state competition.

To Rules and Resolutions.

HR 178 (By Rose), Honoring Hays County constable Billy H. Reeves for his many contributions to the community.

To Rules and Resolutions.

HR 179 (By Goolsby), Honoring Dr. William Michael Carpenter for his contributions to medicine.

To Rules and Resolutions.

HR 180 (By Callegari), Honoring the opening of Franz Elementary School in the Katy Independent School District.

To Rules and Resolutions.

HR 181 (By Goodman), Recognizing the 50th anniversary of the General Motors Arlington facility.

To Rules and Resolutions.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 2

HB 2, HB 23, HB 25, HB 29, HB 35

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

September 25

Urban Affairs - **HB 66**

ENROLLED**September 25 - HB 2, HB 23, HB 25, HB 29, HB 35****SENT TO THE SECRETARY OF THE STATE****September 26 - HCR 9**